

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

HONEYWELL INTERNATIONAL INC.; and  
HONEYWELL INTELLECTUAL PROPERTIES  
INC.;

Plaintiffs,

v.

APPLE COMPUTER, INC., et al.

**Defendants.**

Public Version- Filed June 9, 2008

Civil Action No. 04-1338-JJF

Civil Action No. 04-1337-JJF

Civil Action No. 04-1536-JJF

[CONSOLIDATED]

**OPPOSITION DECLARATION OF ALEXANDER E. GASSER IN SUPPORT OF  
DEFENDANTS OPTREX'S, FUJIFILM'S, SAMSUNG SDI'S, AND CITIZEN'S  
OPPOSITION MEMORANDUM OF LAW  
IN SUPPORT OF THEIR PROPOSED CLAIM CONSTRUCTION**

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June 2, 2008


Alexander Gasser hereby declares:

1. I offer this declaration in support of the Responsive Memorandum on Claim Construction (Markman) by the defendants FUJIFILM Corporation, FUJIFILM U.S.A., Inc., Optrex America Inc., Samsung SDI Co., Ltd., Samsung SDI America, Inc., Citizen Watch Co., Ltd., and Citizen Displays Co., Ltd
2. I am an attorney at law admitted to practice before Courts of the State of Wisconsin, the United States District Court for the Eastern District of Wisconsin, United States Courts of Appeals for the Seventh and Federal Circuits, and the United States Patent and Trademark office. I am counsel for defendant Optrex America, Inc. in this matter, and I am admitted to practice pro hac vice before this Court in this case.
3. I am the same Alexander E. Gasser, who provided a declaration dated April 25, 2008, supporting the Opening Memorandum on Claim Construction (Markman) by the defendants FUJIFILM Corporation, FUJIFILM U.S.A., Inc., Optrex America Inc., Samsung SDI Co., Ltd., and Samsung SDI America, Inc.
4. The numbering of exhibits attached to this declaration continues from the seven exhibits attached to my April 25, 2008 declaration, to avoid duplicate exhibit numbers.
5. Attached as Confidential Exhibit 8 is a true and correct copy of a document titled Plaintiffs' Answers to Defendant Samsung SDI Co., Ltd.'s Second Set of Interrogatories to Honeywell, dated April 12, 2007.

6. Attached as Confidential Exhibit 9 are true and correct copies of excerpts from the transcript to the deposition of Mr. Daniel D. Syroid, taken February 5, 2007, specifically, pages 1, 2, and 83-85.
7. Attached as Exhibit 10 is a true and correct copy of an article identified as "Seminar M-9: Principles of LCD Backlighting," SID 1993, pp. M-9/1 to M-9/40, by Ian Lewin. This exhibit has been previously marked as Defendants' deposition exhibit 528.
8. Attached as Exhibit 11 is a true and correct copy of an article identified as "LCDs: The Backlighting Challenge," LD+A, July 1994, pp. 34-38, by Ian Lewin.
9. Attached as Exhibit 12 is a true and correct copy of an article identified as "19.3: The Development of a High Performance LCD Backlighting System," SID 1994 Digest, pp. 289-292, by I. Lewin, J. O'Farrell, and J. Greer.
10. Attached as Exhibit 13 is a true and correct copy of an article identified as "Backlighting for Direct-View LCDs," Information Display, November 1997, Vol. 13 no. 11, pp. 32-36, by Ian Lewin, with index thereto.
11. Attached as Confidential Exhibit 14 are true and correct copies of excerpts from the transcript to the deposition of Mr. David Brafman, taken December 21, 2006, specifically, pages 1-3, and 61-62.
12. Attached as Confidential Exhibit 15 are true and correct copies of excerpts from the transcript to the deposition of Ms. Karen E. Jachimowicz, taken February 19, 2007, specifically, pages 1-2, and 12-13.

13. Attached as Exhibit 16 is a true and correct copy of the Federal Circuit Court of Appeals Opinion, Akeva LLC v. Adidas - Salomon AG, 208 Fed. Appx. 861, 2006 U.S. App. LEXIS 28195 (Fed. Cir. 2006)(non-precedential), as downloaded from LEXIS.
14. Attached as Confidential Exhibit 17 are true and correct copies of excerpts from the transcript to the deposition of Mr. Dennis J. Wilwerding, taken March 5, 2008, specifically, pages 278-279, 281-286, and 328-330.
15. Attached as Confidential Exhibit 18 are true and correct copies of excerpts from the transcript to the deposition of Dr. Ian Lewin, taken March 5, 2008, specifically, pages 1-2, 49-58, and 70.
16. Attached as Exhibit 19 are true and correct copies of the title page and § 2111 of the Manual of Patent Examining Procedure, 8<sup>th</sup> edition, Revision 6, September 2007.
17. I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 2, 2008



A handwritten signature in cursive script, reading "Alexander E. Gasser", is written over a horizontal line.

Alexander E. Gasser

**CERTIFICATE OF SERVICE**

I, Karen L. Pascale, hereby certify that on June 9, 2008, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing to the CM/ECF counsel of record.

I further certify that on June 9, 2008, I caused a copy of the foregoing document to be served upon the following counsel of record as indicated below:

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